

APPROVED 12-3-12
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Tuesday, November 13, 2012 at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

MEMBERS PRESENT:

Vern E. Carlson, Chairman
Curtis D. Andrews, Sr., Secretary
James J. Giulietti
Theresa Ranciato-Viele
Ronald D. Penton
Richard E. Wilson, Alternate
Mary Jane Mulligan, Alternate

MEMBERS ABSENT:

Edward M. Homa, Alternate

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Carlson asked for public comment before the meeting commenced.

Public comment:

1. Dr. Jim Wells, owner of North Haven Animal Hospital in North Haven, stated that the proposed change of use for a veterinary clinic at 510 Washington Avenue is a poor idea because the animals could break free of their leashes and there is no designated area on the property for them to relieve themselves. He also feels that this use doesn't meet the zoning requirement for acreage.

Mr. Carlson, Chairman, opened the meeting at 7:09 p.m. and introduced the Commissioners, alternates and town staff. Then Mr. Carlson asked if there were any changes to the agenda. Mr. Fredricksen, Land Use Administrator, stated that there were none.

PUBLIC HEARINGS: None

SITE PLANS:

1. #P12-31 Site Plan Application of Jared Andrew Brown, Applicant, Branco, Inc., Owner, relative to 222 Universal Drive, (Map 6 Lot 2). Plan Entitled: Partial Improvement Location Survey-Proposed. Prepared by Godfrey Hoffman Associates, LLC. Dated 11-16-11. Scale 1" = 20'. IL-30 Zoning District.

Mr. Jared Andrew Brown presented the application to permit the addition of a handicapped ramp to the front of this existing approximately 133,000 square feet building to provide access to the Jared Brown Theatre. The Commission asked questions and Mr. Fredricksen, Land Use Administrator, and Mr. Brown responded.

2. #P12-32 Site Plan Application of Piazza, LLC, Owner and Applicant, relative to 144-154 Washington Avenue, (Map 73, Lot 34). Plan Entitled: Site Plan of Dell'Oro Plaza, 144-154 Washington Avenue, North Haven, Connecticut. Prepared by Brown & Associates Surveying Services, LLC, Dated Sept. 19, 2012. Scale 1" = 20'. CB-20 Zoning District.

Ms. Sylvia Dell'Oro, owner, presented the application to permit the addition of a handicapped ramp to the rear of the building located at 154 Washington Avenue, as well as a larger front canopy to cover the entire pedestrian walkway located at 144 Washington Avenue. At the October 18, 2012 Zoning Board of Appeals meeting, a front yard variance and a side yard variance was granted permitting this work in the required setbacks. Also, there is a request for a change of use, at 154 Washington Avenue, from retail to service, a day spa.

The Commission stated that there is to be no living space located on the second and third floors of the building located at 154 Washington Avenue and no living space on the third floor of the building located at 144 Washington Avenue. The Commission asked questions and Ms. Dell'Oro responded.

DELIBERATION SESSION:

Mr. Andrews moved to go into deliberations; Mrs. Ranciato-Viele seconded the motion. All were in favor.

SITE PLANS:

1. #P12-31 Site Plan Application of Jared Andrew Brown, Applicant, Branco, Inc., Owner, relative to 222 Universal Drive.

Mrs. Ranciato-Viele moved to approve the application; Mr. Andrews seconded the motion.

Mrs. Ranciato-Viele moved to amend the motion to include waiving the bond requirement and having Town staff approve any further modifications; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye Penton – aye

The application was approved with appropriate conditions.

2. #P12-32 Site Plan Application of Piazza, LLC, Owner and Applicant, relative to 144-154 Washington Avenue.

Mr. Giulietti moved to approve the application with the condition that there is no apartment on the second and third floors of 154 Washington Avenue and no apartment on the third floor of 144 Washington Avenue. Also, the Change of Use is approved from retail to service. The bond for the work of this application will be incorporated in a bond from the previous application; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye Penton – aye

The application was approved with appropriate conditions.

OTHER: None

CEASE & DESIST ORDERS:

Mr. Alan Fredricksen, Land Use Administrator, outlined current zoning violations with the Commission.

- 346 State Street – Non-permitted parking of tractor trailers. A Cease & Desist Order was sent on October 2, 2012.
- 9 Todd Drive – Conducting a business without proper approvals from Planning & Zoning. A Cease & Desist Order was sent on October 4, 2012.
- 11 Dogwood Road – Wall violation. A Cease & Desist Order was sent on October 4, 2012.
- 1187 Mount Carmel Avenue – Renting violation. A Cease & Desist Order was sent on October 11, 2012.
- 1029 Hartford Turnpike – Renting violation. A Cease & Desist Order was sent on October 11, 2012.
- 231 Clintonville Road – Vehicles over ¾ ton capacity in a residential zone. A Cease & Desist Order was sent on October 12, 2012.
- 15 Regency Drive - Vehicles over ¾ ton capacity in a residential zone. A Cease & Desist Order was sent on October 19, 2012.
- 113 Bailey Avenue – Vehicles over ¾ ton capacity and conducting a commercial business in a residential zone. A Cease & Desist Order was sent on November 1, 2012.

INFORMAL PRESENTATION: None

EXTENSIONS:

1941 Hartford Turnpike

Mr. Andrews moved to approve a five (5) year extension; Mr. Giulietti seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Giulietti – aye Penton – aye

19 & 51 Patten Road

Mr. Giulietti moved to approve one (1) ninety (90) day extension; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Giulietti – aye Penton – aye

BONDS RELEASES & REDUCTIONS:

#P11-36, 39 State Street

Mrs. Ranciato-Viele moved to release the entire bond for application #P11-36, 39 State Street, in the amount of \$20,000.00; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Giulietti – abstain Penton – aye

CHANGE OF USE:

117 Washington Avenue

Mr. Andrews read a letter dated November 9, 2012, from the Fire Chief, into the record.

Attorney Shivani Desai of the Cohen and Acampora Law Firm and Mr. Anthony Marino, President of the Smoker's Club presented the Change of Use from retail to a non-profit social club. Hours of operation will be Monday through Saturday from 11:00 a.m. to 6:00 p.m. The Commission asked questions and Mr. Marino and Attorney Desai responded. Mr. Penton suggested to continue this Change of Use application to the December 3, 2012 meeting to address issues presented by the Fire Chief and the Commission.

Mrs. Ranciato-Viele moved to continue the Change of Use application to the December 3, 2012 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Giulietti – aye Penton – aye

Mrs. Ranciato-Viele moved to go out of deliberations; Mr. Giulietti seconded the motion. All were in favor.

462 Washington Avenue

Ms. Anita Diglio, owner of 462 Washington Avenue and Ms. Julie Diglio presented the Change of Use application for an adult novelty shop. Mr. Fredricksen further discussed the Change of Use with the Commission. Mr. Giulietti feels this application should not be considered a change of use; therefore, it should be deferred to the Town Attorney.

510 Washington Avenue

Ms. Dana Warren, Architect, and Ms. Elisa Katz, applicant, presented the change of use from service to a veterinary hospital.

Mr. Andrews moved to go into deliberations; Mrs. Ranciato-Viele seconded the motion. All were in favor.

Mr. Giulietti moved to continue the Change of Use application to the December 3, 2012 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Ranciato-Viele – aye Giulietti – aye Penton – aye

CORRESPONDENCE: -CT Federation of Planning and Zoning Agencies, Quarterly Newsletter, Fall 2012
-ZEO Report

Mr. Fredricksen reviewed the correspondence with the Commission

MINUTES:

October 1, 2012

Mr. Penton moved to approve the minutes of the October 1, 2012 meeting; Mr. Andrews seconded the motion. The Commission voted as follows:

Carlson – aye Andrews – aye Giulietti – aye Ranciato-Viele – aye Penton – aye

ADJOURN:

There being no further business, Mr. Giulietti moved to adjourn; Mr. Penton seconded the motion. The meeting was adjourned at 9:02 PM.